

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

BRUCE CHARLES, on behalf of himself
and all other similarly situated prisoners
at David Wade Correctional Center,

and

The ADVOCACY CENTER,

PLAINTIFFS,

VS.

JAMES M. LEBLANC, *et al.*,

DEFENDANTS.

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CIVIL ACTION NO.:

5:18-CV-00541-EEF-MLH

JUDGE ELIZABETH E. FOOTE

USMJ MARK L. HORNSBY

CLASS ACTION

DECLARATION OF ROBERT W. COBBS

ROBERT W. COBBS declares, pursuant to 28 U.S.C. § 1746 and under penalty of perjury, as follows:

1. I offer this declaration in support of Plaintiffs' Motion for An Award of Attorney's Fees and Costs. If called as a witness, I could and would testify competently to the facts stated herein, based upon my personal knowledge.

2. I am a Partner at the law firm of Cohen Milstein Sellers & Toll PLLC. I reside and work in Washington, DC.

3. I am a member in good standing of the District of Columbia and State of New York Bars, having been admitted to the New York Bar in January 2014 and to the DC Bar in March 2017. I

was admitted to practice before this Court *pro hac vice* in May 2021, representing the Plaintiffs. ECF No. 396.

4. To remind the Court of my qualifications, I have twelve years of experience as an attorney. I graduated from Yale Law School in May 2013; after law school I served as a law clerk for Judge Rodney Gilstrap in the U.S. District Court for the Eastern District of Texas and Judge Pierre Leval on the U.S. Court of Appeals for the Second Circuit. An updated brief biography reviewing my cases and accomplishments is attached as **Exhibit A**.

5. I previously submitted a Declaration in support of Plaintiffs' Motion for Attorneys' Fees and Costs, dated August 13, 2024. In that declaration, I requested that my time be awarded Attorneys' Fees at an hourly rate of \$350, based on "the market rate for attorneys of comparable skill and experience in the Shreveport, LA, area (my knowledge of which is informed by co-counsel and my recollection of rates in nearby Marshall, TX)." I noted that this was a discount of more than 55% on my ordinary and customary hourly rate, then \$810 per hour.

6. Since that time, counsel have directed me to case law considering attorneys' fees in complex federal litigations.

7. In Washington, D.C., where I work, the most commonly used measure of prevailing rates in such cases is the "Laffey Matrix," first used in *Laffey v. Nw. Airlines, Inc.*, 572 F. Supp. 354, 371 (D.D.C. 1983). *See also, e.g., Serv. Emps. Int'l Union Local 32BJ v. Preeminent Protec. Servs., Inc.*, 997 F.3d 1217, 1223 (D.C. Cir. 2021). Under the Laffey Matrix, the prevailing rate for an attorney of my experience (i.e., 11-19 years out of law school) is \$948 per hour. *See* Laffey Matrix, <http://www.laffeymatrix.com/see.html>.

8. *Preeminent* also notes that “Other relevant evidence” of appropriate prevailing rates “might include attorney affidavits, as well as ‘recent fees awarded by the courts ... to attorneys with comparable qualifications handling similar cases.’ 997 F.3d at 1223.

9. My current hourly billing rate is \$930 per hour, slightly below the Laffey Matrix rate.

10. My hourly rates have been repeatedly approved as fair and reasonable by courts. *See, e.g., In re Google Street View Electronic Communications Litigation*, 611 F. Supp. 3d 872, 888-89 (N.D. Cal. 2020) (“The Court finds that the hours and rates that Class Counsel used to calculate the lodestar are also reasonable. . . . Moreover, each firm’s standard billing have been approved multiple times in this District.”); Transcript of Proceedings of June 24, 2019 at 21:16-20, *In re Dental Supplies Antitrust Litig.*, No. 1:16-cv-696, ECF No. 350 (E.D.N.Y. Jan. 3, 2020) (“And to do that for 1.45 multiplier, assuming as I am now finding, you start with a reasonably hourly rated fee, or a reasonable lodestar, it is really quit[e] modest, I think, in the context of this case.”); *In re Anadarko Basin Oil & Gas Lease Antitrust Litig.*, 2019 WL 1867446, at *2 (W.D. Okla. 2019) (“The fee’s reasonableness is further illustrated by a lodestar crosscheck, . . .”).

11. More recently, the Department of Justice has issued the “Fitzpatrick Matrix,” which some courts have found to be a more representative measure of the prevailing market rate for complex federal litigation in Washington, DC. *See, e.g., J.T. v. District of Columbia*, 652 F. Supp. 3d 11, 23-36 (D.D.C. 2023). Under the Fitzpatrick Matrix, the prevailing market rate for legal services in complex federal litigation for a lawyer of my experience level is \$754 per hour. *See* <https://www.justice.gov/usao-dc/media/1395096/dl?inline>.

12. Under either measure, the prevailing market rate for my services is between \$754 and \$948 per hour. This is consistent with my actual hourly billing rate of \$930 per hour.

13. I have also been directed to recent case law from federal courts in Louisiana of which I was previously unaware. *See e.g., See Cajun Servs. Unlimited LLC v. Benton Energy Service Company*, 17-cv-00491, Rec. Doc. 309 (E.D. La., Jan. 23, 2020) (\$350 per hour [\$430 in 2025 dollars] reasonable for attorney with 11 years of experience); *Bd. of Supervisors of La. State Univ. v. Smack Apparel Co.*, 2009 U.S. Dist. LEXIS 27652 (E.D. La. April 2, 2009) (finding that \$325 [\$490 in 2025 dollars] was a reasonable hourly rate for an attorney with 10 years' relevant experience); *Hernandez v. U.S. Customs and Border Prot. Agency*, 10-cv-04602, 2012 WL 398328 at *16 (E.D. La., Feb. 7, 2012) (awarding \$300 per hour [\$425 in 2025 dollars] for attorney with eight years of experience in the area of litigation); *EnVen Energy Ventures, LLC v. Black Elk Energy Offshore Operations, LLC*, No. 14-424, 2015 WL 3505099, at *2 (E.D. La. June 2, 2015); (awarding \$300 per hour [\$410 in 2025 dollars] for an attorney with 10 years of experience); *Sunbelt Rentals, Inc. v. BJ Moore Trucking, LLC*, 2021 WL 9274368 (W.D. La. Jul. 29, 2021) (Awarding hourly rate of \$405 per hour [nearly \$500 in 2025 dollars] for a commercial litigator with eighteen years' experience in the Monroe division).

14. In light of these authorities, I request that the Court award attorneys' fees for my work in this litigation at an hourly rate of \$400 per hour, which I think represents a fair market value for my services relative to the Shreveport, Louisiana market—a rate below the inflation-adjusted awards of several recent decisions in Louisiana federal courts, even for attorneys with less experience than myself.

15. I have also exercised billing judgment to write off 8.25 hours of work on the case on appellate matters. In other words, I am not seeking remuneration for any hours expended since August 2024.

16. Similarly, my firm's costs have not changed.

17. As noted on Exhibit B to my Declaration of August 13, 2024, I spent 162.25 hours on this case through July 30, 2024. At a rate of \$400 per hour, my lodestar on this case would be \$64,900. This remains a significant discount of my work at my customary hourly rate, which would total more than \$150,000.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 25, 2025.

/s/ Robert W. Cobbs
ROBERT W. COBBS